

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

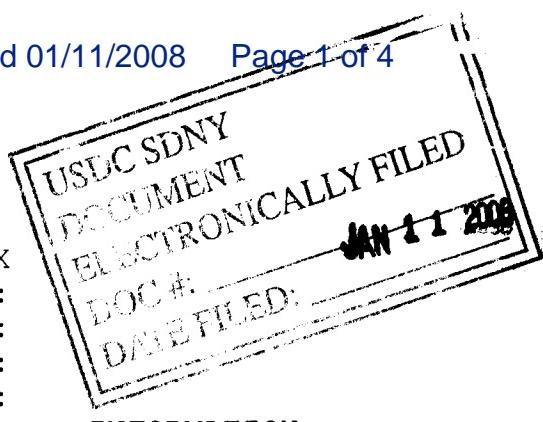
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UNITED STATES OF AMERICA

- v. -

IBRAHIM ELSAFRY,
a/k/a "Ibrahem Elshafey,"

Defendant.

----- X



S1 07 Cr. 788 (LAP)

COUNT ONE

The United States Attorney charges:

1. From at least in or about 2005, up through and including in or about April 2007, in the Southern District of New York and elsewhere, IBRAHIM ELSAFRY, a/k/a "Ibrahem Elshafey," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the laws of the United States, to wit, Title 18, United States Code, Section 1029(a)(5).

2. It was a part and an object of the conspiracy that IBRAHIM ELSAFRY, a/k/a "Ibrahem Elshafey," the defendant, and others known and unknown, in an offense affecting interstate and foreign commerce, unlawfully, willfully, and knowingly, and with intent to defraud, would and did effect transactions, with 1 and more access devices issued to another person and persons, to receive payment and other things of value during a 1-year period, the aggregate value of which is equal to and greater than \$1,000,

in violation of Title 18, United States Code, Section 1029(a)(5).

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about September 11, 2006, in Staten Island, New York, ELSHAFRY and another co-conspirator met with a cooperating witness (the "CW") and called various credit card companies to check the available credit on five credit cards that had been issued to another person.

(Title 18, United States Code, Sections 1029(a)(5) and (b)(2).)

FORFEITURE ALLEGATION

4. IBRAHIEM ELSHAFRY, a/k/a "Ibrahem Elshafey," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 982, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of his involvement as a car service driver at Newark Liberty International Airport in a narcotics conspiracy from at least in or about March 2007, up to and including on or about November 8, 2007 ("narcotics conspiracy"), and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the narcotics conspiracy.

5. If any of the above-described forfeitable property,

as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)



MICHAEL J. GARCIA
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United States Attorney

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INFORMATION

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(18 U.S.C. §§ 1029(a)(5) and (b)(2); 21
U.S.C. §§ 841(a)(1) and 853.)

MICHAEL J. GARCIA
United States Attorney.
